of proving itself than was provided by the Act of 1908. Therefore, the minimum period of detention has now been extended from one year to two years, and, after discharge from an institution, the supervisory authority of the prison commissioners is now extended from six months to one year (Section 11). While no change has been made in the extent of the juvenile court legislation embodied in the important Children Act of 1908 (8 Edw. VII, ch. 67, Section 111 *et seq.*), particularly so as to extend the age limit of children under its protection above the age of fourteen, in the light of the tendency manifested by the new Act it does not seem rash to express the belief that, when England will again be permitted to think beyond matters of national defense, English legislation will adopt the natural development of this subject indicated by our experience under the juvenile court acts of the more advanced States. (See Judge Mack on the "Juvenile Court" in 23 HARV. L. REV. 204.)

Notable improvement is made by the Act likewise in the treatment of adult offenders. Section 1 now makes it obligatory upon courts of summary jurisdiction to allow time for the payment of fines, subject to appropriate exceptions. It is interesting to note that this method of stimulating industry by enabling a delinquent to earn the means of paying his fine has been worked out by some of our federal judges under makeshift probationary systems without any machinery provided by law. Of course, such a method of administration should not depend upon the chance interest of an overburdened judiciary, but should be carefully worked out through legislation and through the necessary administrative personnel to help in its enforcement. Sections 12 and 13 of the Act confer new powers upon summary courts of jurisdiction in dealing with offenders by allowing "detention" in lieu of "imprisonment" in cases of short sentences, to wit, sentences for a less period than five days. Clearly this is a conservative recognition of the deep psychological fact that the social interest of the state as to certain delinquents is adequately enforced through detention, and that the stigmatizing implications of imprisonment involve in such cases a real loss to the community. Even in so rigorously practical an institution as the army this principle has been applied. In the case of certain military offenders, in the place of prisons, detention barracks have been established, and this system, under the administration of Judge Advocate-General Crowder, is showing most promising results. Of course, in all these matters we must go slow and be wary of general theory; no less wary when our humanitarianism responds to such theory. The problem here as elsewhere is to draw lines, not unalterable ones at that, based on dependable data.

The present Act makes other minor changes in criminal procedure and administration, all of which have been carefully indicated in the convenient annotations to the Act which Mr. Anderson has given us. One of these provisions (Section 17), empowering the Home Secretary to "appropriate either wholly or partially particular prisons within his jurisdiction to particular classes of prisoners," is apt to arouse the envy of American executives like the Governor of Massachusetts, — and with good reason. A proper overhauling and coördination of our prison systems to fit the need of the present generation is a pressing problem in many States. F. F.

THE JUVENILE COURT AND THE COMMUNITY. By Thomas D. Eliot. New York: The Macmillan Company. 1914. pp. xv, 234.

"When is a Juvenile Court not a Juvenile Court?" This query, which forms the caption to one of the chapters in Mr. Eliot's book, might well have been applied to the entire volume. The functions of the Juvenile Court are

two, — probation, and the adjudication of disputed cases. Probation is a matter of administration and loses in efficiency when yoked to the judicial function. It properly belongs to the educational system in which it should form one link in a chain of many institutions calculated to care for all manner of children from prodigies to idiots. The judicial function is also misplaced in the Juvenile Court. It is bad in theory because the court is in reality adjudicating the rights of the parents to the child, not the rights of the child itself; it is bad in practice because the court is hampered by lack of jurisdiction over all the domestic relations. The judicial function should be given to a Domestic Relations Court of wide powers.

Thus is the Juvenile Court weighed and found superfluous, and its powers divided between the educational system and a greater court. The division would bring about a harmonious adjustment. The educational system would have complete control of every child, and only disputed cases would be brought into court. The judge would have full powers to make a satisfactory disposition of the case. To this analysis and its deductions it would be difficult to urge any substantial objection. Indeed, the only source of wonderment is that it has not been advanced, as an entire program, many years ago. Probably the only explanation is historical. When the idea that we were mishandling our juvenile delinquents first transcended the minds of sociologists and found lodgment in the minds of laymen and humanitarian lawyers, the latter, in the characteristic American way of attacking cases and not problems, looked about for something concrete. The criminal court, because of its dramatic position, its brutality, its stigma, and the odor of common-law crimes clinging to it, proved to be the first guilty victim. There was no other court to take its place in the handling of juvenile delinquency. This led to the establishment of a separate juvenile court, and its judge was appointed custodian of the sacred milk of human kindness. This new function required the aid of deputies to see that it was wisely and properly dispensed, and so arose the system of official probationers. It is difficult to show cause why this purely historical union of judge and probationer should not be dissolved.

Professor Roscoe Pound has called this age a period of unification of the social sciences. In advocating the articulation of the educational agencies and the concentration in one court of all matters pertaining to the family, Mr. Eliot has read aright the spirit of the times. And inasmuch as the subject dealt with is one that vitally affects the future citizenship, — for even the most cynical Italian criminologists agree that the juvenile can, in part, be molded anew, — his book adds importance to wisdom. It is a valuable contribution.

H. B. E.

YEAR BOOKS OF EDWARD II; Vol. VI, 4 Edward II, A.D. 1310–1311. Edited for the Selden Society by G. J. Turner. London: Bernard Quaritch. 1914. pp. cii, 228.

After an interval the Selden Society returns to the Years of Edward II. This volume (being three years delayed in publication, for it is the volume for 1911) carries us a half-year farther on the slow journey through the reign. The text of the Selden Society's publications has long since come to seem less important than the introductions. So long as the introduction was Maitland's this was natural; and since his death the tradition continues in existence.

Mr. Turner, who carried the last volume of Maitland's work through the press, here undertakes the entire labor of editing. The text appears to be carefully formed by a collation of the manuscripts, the *apparatus* is ample, and the